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Programme budget for the biennium 1998-1999

Letter dated 11 October 1999 from the Chairman of the Committee on Information to the Chairman of the Fifth Committee

I wish to recall that the General Assembly, in its resolution 52/220 of 22 December 1997, had requested that a report on the integration of United Nations information centres with the United Nations Development Programme be submitted to the General Assembly at its fifty-third session. In a letter dated 12 October 1998, the Chairman of the Committee on Information informed the Chairman of the Fifth Committee that the report requested in that resolution would be considered by the Committee on Information at its twenty-first session in 1999.

Last May, the Committee on Information had before it a report of the Secretary-General on the integration of United Nations information centres with field offices of the United Nations Development Programme (A/AC.198/1999/3). Following extensive debate, in its recommendations to the General Assembly (A/54/21, chap. IV, draft resolution B, para. 21), the Committee requested the Secretary-General "to carry out a case-by-case review of, and submit his proposals on the functioning of, the integrated centres on a priority basis, in full consultation with the host Governments, and to submit a report during the twenty-second session of the Committee on Information".

Accordingly, a further report of the Secretary-General on the integration of United Nations information centres with field offices of the United Nations Development Programme will be considered by the Committee on Information at its session scheduled for May 2000. Following due deliberation on the report, the Committee will submit its recommendations to the General Assembly at its fifty-fifth session.

(*Signed*) Elhassane **Zahid**
Chairman
Committee on Information

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United Nations common system

United Nations common system

Note by the Secretary-General

1. On behalf of the Administrative Committee on Coordination, the Secretary-General has the honour to place before the Fifth Committee for its consideration and possible recommendation to the General Assembly for adoption an amendment to the statute of the International Civil Service Commission that would allow the Commission and participating organizations to request advisory opinions from an ad hoc advisory panel composed of judges of the Administrative Tribunals of the United Nations and of the International Labour Organization (ILO), to be designated by the President of respective Administrative Tribunal, and a third person chosen by those Presidents. The text of the proposed amendment is contained in annex I to the present note.

2. The International Civil Service Commission was established, and its statute adopted, by General Assembly resolution 3357 (XXIX) of 18 December 1974, with the general objective of regulating and coordinating the conditions of service of the United Nations common system. The Commission makes recommendations to the General Assembly, *inter alia*, on the broad principles for the determination of conditions of service in the common system, salary and post adjustment scales, dependency allowances and language incentives for the Professional and higher categories, education and repatriation grants and termination indemnities. The Commission also makes recommendations to the executive heads of the participating agencies, *inter alia*, on the salary scales of General Service staff, standards of recruitment and career development, training and staff evaluation. It has the power to take decisions, *inter alia*, on the methods by which the principles for determining conditions of service should be applied, the rates of allowances and benefits, other than pensions and the allowances mentioned above, the classification of duty stations for the purpose of applying post adjustments and the establishment of the relevant facts for General Service salary scales (salary surveys) at headquarters duty stations.

3. All of the specialized agencies of the United Nations, with the exception of the World Bank, the International Monetary Fund, the International Finance Corporation, the International Development Association and the International Fund for Agricultural Development, have accepted and are thus bound by the statute of the Commission. The International Atomic Energy Agency is also a party to the statute.

4. Under article 26 of its statute, the Commission is required not to prejudice the acquired rights of staff under the staff regulations of the organizations concerned when making its decisions, as indeed are the executive heads in applying those decisions.

5. Under the statute and under their own staff regulations, the executive heads of the participating organizations are legally bound to give effect to decisions of the Commission

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taken within its competence. They are also in practice bound, in order to preserve the integrity of the common system, to give effect to recommendations made to them directly by the Commission and to decisions based on Commission recommendations that are taken by the General Assembly. The participating organizations implement these decisions and recommendations through measures taken under their respective staff regulations. Once applied to staff, these measures can be appealed by staff members in individual cases through the internal appeals procedures and eventually to the United Nations or ILO Administrative Tribunals.

6. On a number of occasions, the Administrative Tribunals have held that decisions and recommendations of the Commission applied by executive heads to their staff have illegally deprived their staff of their rights. Consequently, the implementation of those decisions or recommendations was overturned. In so doing, the ILO Administrative Tribunal has consistently stressed the responsibility of the executive heads, even where they are constrained by the statute of the Commission and by their staff regulations to apply decisions of the Commission that fall within its competence, to review such decisions before applying them.

7. It is to be noted that while the executive head is required to review decisions and recommendations of the Commission for their legality and not to apply them if they would deprive staff of their legal rights, there is no judicial forum in which the executive head, as opposed to his or her staff, can contest the legality of such decisions. Decisions of the Commission cannot be appealed by the executive head himself to an administrative tribunal; nor is there any provision in the statutes of the Administrative Tribunals for the giving of advisory opinions on this or indeed other matters.

8. The legal advisers within the United Nations system noted that the implementation by participating organizations of decisions and recommendations of the International Civil Service Commission is subject to judicial review by the Administrative Tribunals at the instance of staff members who felt themselves aggrieved. There was thus in existence an appropriate judicial forum in which legal questions raised by the decisions or recommendations could be settled. The problem lies in allowing for an authoritative statement of the law to be made before the decision or recommendation is made, or at least before it is implemented by the participating organizations, rather than after the event, and to allow for both the Commission and individual participating organizations to call for such an authoritative statement as necessary.

9. Having considered these matters at their annual meetings, the legal advisers within the United Nations system reported to the Administrative Committee on Coordination at its first and second regular sessions of 1998. The Administrative Committee requested that the views of the Presidents of the United Nations and ILO Administrative Tribunals should be obtained on an urgent basis. The legal advisers therefore consulted the Presidents of the United Nations and ILO Administrative Tribunals on their proposals. Broadly speaking, the Presidents appreciated the difficulties identified by the legal advisers. They raised, however, several concerns regarding, in particular, the proposal that the advisory panel be composed of the Presidents of the Administrative Tribunals themselves. In the light of the views expressed by the Presidents of the Administrative Tribunals, the legal advisers further considered the matter at their annual meeting in 1999 and decided to adjust their proposed amendment to accommodate the main concern expressed by the Presidents and to provide that the panel shall be composed of judges of the respective Tribunals designated by the Presidents, rather than the Presidents themselves. On balance, however, the legal advisers considered that the approach of amending the statute of the Commission to provide for the possible establishment of an ad hoc advisory panel from which the Commission or participating organizations could seek an advisory opinion represented the best available solution to the problem.

10. At its first regular session of 1999, held on 9 April 1999, the Administrative Committee on Coordination agreed and endorsed the amendment to the statute of the Commission as modified by the legal advisers of the United Nations system. In order to give the Commission an opportunity to provide the General Assembly with its comments on the proposed amendment, the Legal Counsel, by letter dated 11 June 1999, informed the Chairman of the International Civil Service Commission that the Administrative Committee on Coordination had endorsed an amendment to the statute of the Commission and requested that the Commission place the amendment before the General Assembly for its consideration. By letter dated 12 August 1999, the Chairman of the Commission, informed the Legal Counsel that, following an examination of the proposed amendment during its fiftieth session, held in New York from 19 to 30 July 1999, the Commission had decided not to place the proposed amendment before the General Assembly but merely to submit to the Assembly its views thereon. The Commission also requested that, should the Administrative Committee on Coordination decide to submit the proposed amendment to the General Assembly, the

comments of the Commission also be provided to the General Assembly. The comments submitted by the Commission are contained in chapter VI of its report for 1999 to the General Assembly (A/54/30) and in annex II to the present note.

11. In view of the comments made by the International Civil Service Commission, it should be noted that, in its annual report for 1998 (A/53/30), the ICSC had noted with satisfaction that the legal advisers of the United Nations system were examining the possibility of securing a judicial advisory opinion before a decision or recommendation regarding the common system was taken or implemented. The current position of the Commission must also be viewed in the light of the proposed amendment's actual motivation to assist both the Commission and the participating organizations in ensuring the legality of the decisions and recommendations of the Commission prior to their implementation. Moreover, it is the considered view of the participating organizations that it is not the number of decisions that is important, but rather the significant cost involved when a decision or recommendation is overturned upon appeal to one of the Administrative Tribunals. As to the concerns of the Commission regarding the costliness of the advisory panels themselves, it must be recalled that such panels would not be standing bodies, but shall only be established on an ad hoc basis upon a request by the Commission or by the executive head of a participating organization solely for the duration of rendering an advisory opinion on a particular request.

Annex I

Draft amendment to the statute of the International Civil Service Commission

Article 18 *bis*

1. The Commission may request an advisory opinion regarding the legality of any decision or recommendation taken or to be taken under the present statute from an ad hoc advisory panel.

2. The executive head of any of the organizations may request an advisory opinion from an ad hoc advisory panel regarding the legality of any measure based in whole or in part on a decision or recommendation referred to in paragraph 1 which is being considered for adoption or implementation in the organization concerned.

3. An ad hoc advisory panel shall be established upon a request for an advisory opinion by the Commission or an executive head of any of the organizations and shall be composed of a judge of the Administrative Tribunal of the United Nations and of a judge of the Administrative Tribunal of the International Labour Organization, to be designated by the President of the respective Administrative Tribunal, and a third person to be appointed by agreement between the two Presidents, who shall act as Chairman of the Panel.

4. The ad hoc advisory panel shall establish its own procedures, which shall make provision for the representation in any proceedings before the panel of other organizations that so request and of staff representatives on behalf of staff whose rights may be affected by the implementation of the decision or recommendation.

5. Expenses of the ad hoc advisory panel shall be borne by the Commission in the case of a request referred to in paragraph 1 or, in the case of a request under paragraph 2, by the requesting organization or organizations.

Annex II

Comments of the International Civil Service Commission on the proposed amendment by the Administrative Committee on Coordination to the statute of the Commission regarding the establishment of advisory panels

Introduction

1. In a memorandum dated 11 June 1999, the United Nations Legal Counsel informed the Chairman of ICSC that the Administrative Committee on Coordination (ACC) had endorsed an amendment to the ICSC statute proposed by the legal advisers of the United Nations system and requested that the Commission place that amendment before the General Assembly for its consideration.

2. In ACC's view, the proposed amendment to the ICSC statute (see annex VII) would enable the organizations and the Commission to request an advisory opinion from an ad hoc advisory panel on the legality of a decision or recommendation made by the Commission under the authority of its statute before that decision or recommendation was made, or at least before it was implemented by the organizations. The advisory opinion would be given by an ad hoc panel composed of a judge of the United Nations Administrative Tribunal and a judge of the ILO Administrative Tribunal, to be designated by the Presidents of the respective Tribunals, and a third person to be appointed by agreement between the two Presidents, who would act as Chairman of the Panel. The Administrative Tribunals would not be bound by the advisory opinion.

Views of the organizations

3. The Chairman of CCAQ informed the Commission that the legal advisers of the United Nations system had examined the issue of the establishment of advisory panels for several years. The proposed amendment to the ICSC statute was not meant as a criticism of the Commission or its decisions. On a number of occasions, the executive heads were put in a very difficult position with respect to the implementation of some of the Commission's decisions. On the one hand, the Tribunals wanted the executive heads to ensure the legality of Commission decisions before applying them; on the other hand, if they did not implement a decision of the Commission which they believed to be legally flawed, they could be subject to criticism from the governing bodies of their organizations. Furthermore, when Administrative Tribunals overturned decisions of the Commission, it was sometimes necessary to effect retroactive pay and pension adjustments for large numbers of staff affected by the decision, thereby resulting in significant costs and administrative efforts. Accordingly, the legal advisers decided to recommend to ACC the establishment of advisory panels which would provide advisory opinions, under exceptional circumstances, on the legality of a decision of the Commission.

4. The representative of the United Nations noted that the proposed amendment had been submitted to the Commission on behalf of ACC, not the United Nations, which was only a member of that body. The main problem was the uneasiness felt by executive heads when having to implement decisions which they believed to be legally flawed, and the costs involved in having to rectify the situation. He stressed that the reason why the legal advisers had asked the Commission to submit the proposed amendment to the General Assembly was that by doing so, the Assembly would benefit from the comments and suggestions of the Commission. It was also a matter of courtesy towards the Commission. The proposed solution was not perfect but, in the view of the legal advisers of the United Nations system, it was the best approach. Regarding the scope of the problem, it was not the number of decisions that was important but the fact that when a decision was overturned this was costly to the organizations. He added that the establishment of advisory panels was not a precedent within the United Nations system since the International Court of Justice had the power to render binding as well as non-binding advisory opinions.

Discussion by the Commission

5. The Commission noted at the outset that neither ICSC nor its secretariat had been consulted by ACC or the legal advisers on the proposed amendment to the ICSC statute. Also, the note from the legal advisers might give the impression that the Commission's decisions were frequently successfully challenged before the Administrative Tribunals of the United Nations system, which was not the case. In fact, the opposite was true. In the vast majority of cases, the Administrative Tribunals had upheld Commission decisions. The Commission doubted the need for referring decisions to the proposed advisory panels, as ICSC would not take a decision which it believed was legally flawed.

6. One member of the Commission favoured the establishment of advisory panels. He pointed out that the

creation of a body which rendered advisory opinions was not a precedent. Such panels existed within and outside the United Nations system, for example, the *Conseil d'Etat* in France.

7. In his view, these panels would add value because they allowed parties, before a decision was made, to obtain an authoritative statement of the law on the legality of the decision.

8. He also stressed that the proposed advisory panels would function properly only if two indispensable conditions were met: (a) the requests for advisory opinions should be limited to decisions that could be challenged before the Administrative Tribunals, and (b) the ad hoc panels should be required to provide the advisory opinions within a short time-frame.

9. Most members of the Commission opposed the establishment of advisory panels. There was no need for such a review mechanism since there were so few Commission decisions and recommendations that had been successfully challenged before the Administrative Tribunals. The legal advisers of the United Nations system had singled out only four such cases in the past 25 years. In some of those cases, flawed legal analysis was not the basis for those challenges.

10. They added that the establishment of advisory panels would result in adding a step in an already long and complex judicial process, and would further delay implementation of ICSC decisions and recommendations, thereby disrupting the system. Since each advisory panel would have to establish its own rules of procedure, there could be lengthy disputes, given the adversarial nature of the cases, at the early stage of the proceedings. The complexity of Commission decisions would also require that the parties be provided sufficient time to prepare their briefs. Currently, the turnaround time for complaints relating to Commission decisions was one year and a half. Even if the advisory panels processed the requests for advisory opinions on a priority basis, it would probably take at least six months to obtain an advisory opinion. This would significantly slow down the Commission's decision-making process.

11. Those members also considered that the usefulness of the advisory panels was doubtful since their advisory opinions would not be binding on the Administrative Tribunals, the organizations and the staff representatives. Staff representatives could very well, even in the face of an unfavourable advisory opinion, lodge a complaint before the Administrative Tribunals on the same issue. Therefore, the advisory opinions would not necessarily be a deterrent to further litigation.

12. Attention was also drawn to the fact that the Presidents and members of the Administrative Tribunals had expressed serious reservations about the proposal for establishing advisory panels. They favoured the option of having the organizations consult the legal advisers of the United Nations system, an approach which was favoured by most members of ICSC. This would ensure that organizations obtained legal views from legal advisers across the system.

13. It was also noted that other than the International Court of Justice, there was no precedent for this type of judicial body within the United Nations system. A further consideration was the added cost in submitting the Commission's views to the advisory panels.

Decision of the Commission

14. The Commission decided to submit the above observations on the proposal of ACC to the General Assembly. The Commission decided to request its Chairman to forward those observations to the United Nations Legal Counsel, and to request that should ACC decide to submit the proposed amendment to the General Assembly, it attach ICSC's comments to its submission.

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Proposed programme budget for the biennium 2000-2001

Rental of United Nations premises by press and other entities

Note by the Secretary-General

Summary

In its first report to the General Assembly on the proposed programme budget for the biennium 2000-2001, the Advisory Committee on Administrative and Budgetary Questions requested the Secretary-General to survey the terms of agreements under which the press and other entities occupied space in buildings owned and rented by the United Nations free of charge or at less than commercial rates and report to the General Assembly by December 1999. Following the review of the practices at main United Nations locations relating to the rental or free use of space, the Secretary-General is of the opinion that these practices are based on established policies and take into account the nature of both the tenant and local conditions. The Secretary-General therefore intends to continue to apply these practices.

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I. Overview

1. Following the request by the Advisory Committee on Administrative and Budgetary Questions made in its first report on the proposed programme budget for the biennium 2000-2001[1] the Secretariat has undertaken a review of the current practice of renting of United Nations premises to outside entities in all established headquarters locations (New York, Geneva, Vienna and Nairobi) and headquarters of the regional commissions. The present note summarizes the existing practices and recommends their continued application.

2. The review indicates that the entities renting space in the United Nations premises may be grouped into four broad categories: (a) organizations of the United Nations System, various entities affiliated with the United Nations, as well as other international organizations; (b) various commercial entities providing specific support services to the United Nations at the location to ensure smooth and uninterrupted United Nations operations; (c) press and other media entities collaborating with the United Nations in highlighting and disseminating information on United Nations activities to the general public; and (d) United Nations staff-related and staff-affiliated bodies and entities. Table 1 below provides information on the outside entities currently occupying space in all main United Nations locations, grouped by the above-mentioned four categories.

Table 1

Location	*United Nations system and other organizations and affiliates*	*Commercial entities providing support services*	*Press and other media entities*	*Staff-related and staff-affiliated bodies and entities*
Headquarters	Yes	Yes	Yes	Yes
United Nations Office at Geneva	Yes	Yes	Yes	Yes
United Nations Office at Vienna	Yes	Yes	Yes	Yes
United Nations Office at Nairobi	Yes	Yes	No	Yes
Economic Commission for Africa	Yes	Yes	Yes	Yes
Economic Commission for Latin America and the Caribbean	No	Yes	No	Yes
Economic and Social Commission for Asia and the Pacific	Yes	Yes	No	Yes
Economic and Social Commission for Western Asia	Yes	No	Yes	Yes

3. It should be noted that, under the terms of headquarters agreements with the Governments of Austria and Lebanon, the United Nations may not charge rent for the space provided for other tenants on its premises. Any rental income that would be generated in Vienna and Beirut would devolve to the host Government. Therefore, the UNOV and the Economic and Social Commission for Western Asia have been excluded from further review.

II. Current United Nations rental practice

4. A review of the present United Nations practice of charging rent to outside entities occupying space on United Nations premises indicated that, while rents are generally based on local commercial rates, the rates vary by group of tenants and are affected by specific factors and conditions prevailing at each duty station. The situation is summarized by type of rate in table 2.

Table 2

Location	*Application of local commercial rates*	*Application of rates which include a share of maintenance costs of premises or rates built into contracts*	*Application of concessional or reduced rates*	*Occupation of space free of rent*
Headquarters	Yes	Yes	Yes	Yes
United Nations Office at Geneva	Yes	Yes	Yes	Yes
United Nations Office at Nairobi	Yes	No	Yes	Yes
ECA	No	Yes	No	Yes
ECLAC	No	No	Yes	Yes
ESCAP	No	Yes	No	Yes

5. The United Nations sets rents according to the type of tenants housed; the approach depends on the nature of the relationship between the United Nations and the tenant, and on the level of the tenant's contribution to the work of the Organization. Thus, several different rates may apply at a particular United Nations location.

6. Press and other media entities, as well as staff-related and staff-affiliated bodies and entities, are exempt from paying rent for the space they occupy. Other tenants are charged rent at the level of the local commercial rate, or at a concessional/reduced rate based on the local commercial rate, or at a specific rate governed by the terms of a contract with the entity. Findings of the review, by category of tenants, are detailed below.

Organizations of the United Nations system, entities affiliated with the United Nations and other international organizations

Table 3

Location	*Application of local commercial rates*	*Application of rates which include a share of maintenance costs of premises or rates built into contracts*	*Application of concessional or reduced rates*	*Occupation of space free of rent*
Headquarters	Yes	No	Yes	Yes
UNOG	Yes	No	No	Yes
UNON	Yes	No	Yes	No
ECA	No	Yes	No	No
ECLAC	N/A	N/A	N/A	N/A
ESCAP	No	Yes	No	No

7. The organizations in this group (Headquarters, the United Nations Office at Geneva, the United Nations Office at Nairobi, the Economic Commission for Africa (ECA), the Economic and Social Commission for Asia and the Pacific (ESCAP)) are normally charged a rent rate based on the local commercial rate which, in some cases is increased to include a share of maintenance costs. At Headquarters, an adjustment to standard commercial rates is made with respect to space in an inferior location without access to elevator service on the same floor. In Nairobi, the United Nations Environment Programme and the United Nations Centre for Human Settlements (Habitat) are charged for the space occupied at the United Nations premises at Gigiri on the basis of a local commercial rate, minus a percentage equivalent to the share of regular budgetary resources of each programme. Some organizations affiliated with the United Nations that occupy space on United Nations premises at Headquarters and in Geneva have traditionally been exempt from paying rent. At Headquarters, they include entities that maintain liaison with and provide support to non-governmental organizations, and in Geneva, they include the Joint Inspection Unit, the United Nations Institute for Disarmament Research, the United Nations Research Institute for Social Development and the secretariats of subsidiary bodies of the Administrative Committee on Coordination (the Consultative Committee on Administrative Questions, the Consultative Committee on Programme and Operational Questions and the Information Systems Coordination Committee). No organizations of this group occupy space on the premises of the Economic Commission for Latin America and the Caribbean (ECLAC) in Santiago.

Commercial entities providing support services to the Organization

Table 4

Location	*Application of local commercial rates*	*Application of rates which include a share of maintenance costs of premises or rates built into contracts*	*Application of concessional or reduced rates*	*Occupation of space free of rent*
Headquarters	No	Yes	No	Yes
UNOG	Yes	Yes	No	No
UNON	Yes	No	No	No
ECA	No	Yes	No	No
ECLAC	No	No	Yes	No
ESCAP	No	Yes	No	No

8. The Organization utilizes the services of various commercial entities and contractors providing support to its operations (banks, travel agencies, postal services, catering, electrical and utility contractors and other similar entities). The practice followed in charging rent to those tenants varies. With respect to those tenants having service contracts with the United Nations and occupying space on United Nations premises, the rate is, as a rule, determined by the terms of the contract. On that basis, the catering, electrical and utility contractors at Headquarters are provided with free office space accommodation, owing either to the terms of the contract or the inferior location of the space. With respect to banks, travel agencies and other servicing entities a local commercial rate is applied at Headquarters and at the United Nations Office at Geneva. At ECA and ECLAC, the commercial entities are charged rent based on a local commercial rate, plus their share of maintenance costs. ECLAC applies a reduced rate for entities belonging to this group when charging rent for office space, in recognition of their support of the Organization.

Staff-related and staff-affiliated bodies and entities

9. Staff-related and staff-affiliated bodies and entities are exempt from rental charges at all locations. These include staff unions, staff associations, such as the World Federation of United Nations Associations, the World Federation of Former United Nations Interns and Fellows, the Association of Former International Civil Servants and staff-related servicing entities such as a child-care centre, recreation clubs, after school programmes and the Women's Guild. Although the United Nations Federal Credit Union at Headquarters is a staff-related entity, it is charged rent at 50 per cent of commercial rates in recognition of its staff-servicing/business nature. At the United Nations Office at Geneva, the staff-related associations and the International School pay a nominal rental fee. It should be noted with respect to this group of tenants that some of the entities providing support to staff, such as a child-care centre and recreation clubs, also provide the same benefits to members of the Member States permanent missions.

Press and other media entities

10. No press or other media entities occupy space on the United Nations premises at the United Nations Office at Nairobi, ECLAC and ESCAP. At Headquarters and at ECA, such entities occupy space free of charge. In Geneva, they are charged at a reduced rate, which allows them to participate in defraying the costs of the maintenance of the premises they occupy. That approach in Geneva also takes into account the fact that the press agencies in the Palais des Nations cover the activities of both the United Nations and the agencies of the United Nations system based in Geneva.

11. It should be noted that the entities of this group have been provided with accommodation at Headquarters free of charge since the inception of the United Nations. The General Assembly, by its resolution 3535 (XXX) of 17 December 1975 on United Nations public information policies and activities, recognized the contribution of the media in promoting the activities of the United Nations and in mobilizing public support for the Organization. Following that policy, in his report to the General Assembly at its thirty-first session on space accommodation at United Nations Headquarters (A/C.5/31/17, para. 26), the Secretary-General, in commenting on a Joint Inspection Unit report on the office accommodation in the United Nations system (A/9854) stated that efforts should be made to facilitate news coverage of the United Nations at all levels and by all facets of the media. The Secretary-General further proposed in that report that the existing arrangements of providing space accommodation to news organizations free of charge should continue (A/C.5/31/17, para. 49). In its related report, the Advisory Committee on Administrative and Budgetary Questions stated its general agreement with the conclusions and recommendations of the Secretary-General.[2] By its decision 31/425 adopted at its 107th plenary meeting on 22 December 1976, the General Assembly concurred with the comments and observations of the Advisory Committee. Since then, the Secretariat has continued its long-term policy of providing press and other media entities with free office space accommodation.

III. Previous reviews of rental practices

12. The Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations (Group of 18), in its report to the General Assembly at its forty-first session, *inter alia*, recommended that Member States and other users occupying office space on United Nations premises should pay rent based on current commercial rates (recommendation 36). It should be noted that recommendation 36 did not specify individual entities or groups of entities occupying space on United Nations premises, but rather provided for a general policy recommendation. By its resolution 41/213 of 19 December 1986, the General Assembly mandated the Secretary-General to implement the recommendations contained in the report of the Group of 18.

13. A comprehensive study of outside entities occupying space on United Nations premises conducted in response to recommendation 36 revealed that United Nations agencies constituted the largest single group of tenants. In accordance with the recommendation, those agencies and other outside bodies were requested to start paying rent based on commercial rates. The rates to be charged in New York were based on the highest rates paid by the United Nations for rented space, that is, for the building of the United Nations Development Corporation at 2 United Nations Plaza. Similar guidelines were applied to other duty stations. The new policy was implemented effective 1 January 1989 for Member States occupying space in United Nations buildings and 1 January 1990 for specialized agencies

and other organizations, in order to permit them to make the necessary budgetary provisions through their own governing bodies. The implementation of those measures was reported to the General Assembly at its forty-fourth session in the final report of the Secretary-General on the implementation of resolution 41/213 (A/44/222, paras. 107-109) and at its forty-fifth session in the analytical report of the Secretary-General on the implementation of resolution 41/213 (A/45/226, paras. 153-154). With respect to press and media entities, the implementation of recommendation 36 has proceeded, taking into account General Assembly decision 31/425. As a result, the Secretariat has continued providing space accommodation to the media organizations free of charge.

IV. Conclusions and recommendations

14. The review of the United Nations practice of providing office space accommodation on United Nations premises for outside entities has confirmed that the practice is based on the established policy of charging rent, while taking into account the nature of the tenants as well as local conditions. The Secretary-General intends to continue to follow the current practices as described in the present report.

Notes

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 7* (A/54/7), chap. II, para. VIII.67.

[2] Ibid., *Thirty-first Session, Supplement No. 8* (A/31/8/Add.4), para. 7.

[3] Ibid., *Forty-first Session, Supplement No. 49* (A/41/49).

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Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: Advisory Board on Disarmament Matters; United Nations Institute for Disarmament Research

Programme budget for the biennium 2000-2001

Request for a subvention to the United Nations Institute for Disarmament Research resulting from the recommendations of the Board of Trustees of the Institute on the work programme of the Institute for 2000

Note by the Secretary-General

Summary

In accordance with the provisions of the statute of the United Nations Institute for Disarmament Research (UNIDIR) (see General Assembly resolution 39/148 H, annex, art. VIII, para. 3), the recommendation of the Board of Trustees of UNIDIR for a subvention of $213,000 from the regular budget of the United Nations is hereby transmitted to the General Assembly for approval. A related provision to finance this subvention has already been incorporated in section 4 of the proposed programme budget for the biennium 2000-2001 (A/54/6/Rev.1).

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1. In the report of the Advisory Board on Disarmament Matters, in its capacity as the Board of Trustees of the United Nations Institute for Disarmament Research (UNIDIR), as transmitted by the Secretary-General to the General Assembly at its fifty-fourth session (A/54/201, annex II), the Board adopted the Institute's programme of work and estimated resource requirements for 2000. The present report, reflecting the updated estimates that have since been provided by the Institute to the Advisory Committee on Administrative and Budgetary Questions, is submitted to the General Assembly for its approval of the subvention of $213,000 from the regular budget of the United Nations.

2. In its report, the Board noted with regret that for several years the subvention received from the United Nations had not been adjusted for inflation. The Board requested, that in view of the importance of the United Nations subvention to the operations of the Institute, the matter be kept under review.

3. The proposed programme budget of the United Nations for the biennium 2000-2001, under section 4, Disarmament, contains a provision of $426,000 representing the United Nations subvention to UNIDIR for 2000-2001. Notwithstanding the inclusion of the necessary provision in the proposed programme budget for the biennium 2000-2001, a formal request for a subvention of $213,000 for the year 2000 is submitted to the General Assembly, in keeping with established procedure.

4. Under section IV of General Assembly resolution 44/201 B of 21 December 1989, entitled "Subvention from the regular budget to the United Nations Institute for Disarmament Research", the Secretary-General is required to report annually to the General Assembly on the situation of the Institute. In this context, it is reported that the financial situation of the Institute is as follows:

(a) Funds available at the beginning of 1999 amounted to $751,900. This figure includes an amount of $104,100 required as operating cash reserve for 1999;

(b) Total income for 1999 is estimated at $985,900, from the following sources: voluntary contributions and public donations ($750,700), interest income ($20,000), other inter-organizational contribution ($2,200), and the subvention from the United Nations regular budget ($213,000). The details of revised 1999 and estimated 2000 contributions from voluntary sources are provided in annexes I and II;

(c) Total 1999 revised estimated expenditure is $941,400, including a provision of $34,700 for programme support costs. Requirements for 2000 are estimated at $1,175,500, inclusive of $40,100 for programme support costs and $120,300 for operating cash reserve. The breakdown of 1999 revised estimated expenditures and of the 2000 estimated resource requirements is provided in annex III;

(d) Available funds at the end of 1999 are estimated at $796,400, including an operating cash reserve of $104,100.

5. Should the General Assembly decide to approve the recommendation of the Board of Trustees of UNIDIR, no additional provision would be required under section 4, Disarmament, of the proposed programme budget for the biennium 2000-2001, as provision of related resources has been sought in paragraph 4.28 of the proposed programme budget for the biennium 2000-2001 (A/54/6/Rev.1).

Annex I

Details of UNIDIR 1999 revised income from voluntary sources

Contributors	*Amount in United States dollars*
A. Contributions received	
Finland	25 500
Finland	3 600
Greece	7 600
Israel	5 000
Norway	75 000
Switzerland	46 200
United Kingdom of Great Britain and Northern Ireland	243 000
University of Michigan	2 800
Subtotal A	**408 700**
B. Pledged contributions	
Egypt	5 000
France	280 000
Ghana	5 000
Netherlands	12 000
Norway	25 000
Sweden	15 000
Subtotal B	**342 000**
Total voluntary contributions for 1999	**750 700**

Annex II

Details of UNIDIR 2000 estimated income from voluntary sources

Contributors	*United States dollars*
Egypt	5 000
Finland	28 500
France	280 000
Ghana	5 000
Greece	7 600
Israel	5 000
Netherlands	12 000
Norway	100 000
Switzerland	45 000
Total pledged contributions for 2000	**488 100**

Annex III

Estimated 1999 and 2000 resource requirements

(Thousands of United States dollars)

Resource requirements	*1999 revised estimates*	*2000 estimates*	*Increase or (decrease)*
A. Direct programme and administrative costs			
Consultants fees and travel	79.5	41.1	(38.4)
Ad hoc expert groups	10.0	30.0	20.0
Salaries and related staff costs	407.8	488.6	80.8
Personal service contracts	335.4	389.1	53.7
Language training	1.6	3.6	2.0
Other specialized training	5.1	5.0	(0.1)
Fellowship programme (stipend)	0.0	0.0	0.0
Official travel of staff	20.3	22.4	2.1
Advertising and promotion	6.9	0.0	
Rental of conference room	2.5	1.0	(1.5)
Rental of conference-servicing equipment	3.4	2.0	(1.4)
Hospitality	4.1	1.0	
External printing and binding	2.5	2.5	0.0
Maintenance of office automation equipment	7.0	7.0	0.0
Paper for internal reproduction	7.7	12.0	4.3
Library books	0.5	0.0	(0.5)
Subscriptions and standing orders	2.5	2.5	0.0
Data processing supplies	2.3	2.3	0.0
Acquisition of office equipment	7.6	5.0	(2.6)
Loss/gain due to exchange rates	0.0	0.0	0.0
Total	**906.7**	**1 015.1**	**108.4**
B. Programme support costs			
(5% of total A less United Nations subvention)	34.7	40.1	5.4
Total estimated expenditure (A+B)	**941.4**	**1 055.2**	**113.8**
C. Operating cash reserve			
(15% of total A and B less United Nations subvention)	104.1	120.3	16.3
Grand total A+B+C	**1 045.5**	**1 175.5**	**130.0**

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Fifth Committee
Agenda item 121
Proposed programme budget for the biennium 2000-2001

Proposed programme budget for the biennium 2000-2001 Section 26, Public Information

Note by the Secretary-General

1. The Advisory Committee on Administrative and Budgetary Questions, in the context of its consideration of the proposed programme budget for the biennium 2000-2001,[1] noted that an amount of $206,100 had been requested to cover the cost of personal service contracts related, *inter alia*, to the creation of search programmes and databases for the United Nations Web site in official languages other than English. The Advisory Committee pointed out that no statement of programme budget implications had been submitted to the General Assembly at its fifty-third session in connection with the adoption of resolution 53/208 C of 18 December 1998, and requested that cost estimates and a related Secretariat-wide plan be presented to the Assembly at the main part of its fifty-fourth session.

2. In its resolution 53/208 C, the General Assembly noted with appreciation that the Department of Public Information had launched United Nations Web sites in Russian, Arabic and Chinese; stressed the need for continuous development, maintenance and enrichment of United Nations Web sites with a view to achieving equal treatment of the six official languages on those Web sites; and requested the Secretary-General to submit proposals in that connection to the General Assembly at its fifty-fourth session through the Committee on Conferences and the Committee on Information.

3. In response to that request, the Secretary-General submitted a report (A/AC.198/1999/6) to the Committee on Information at the first part of its twenty-first session, in May 1999, outlining three proposals of a general nature aimed at addressing the issue of equitable treatment of all United Nations official languages, together with an indication of the magnitude of the resource requirements for the development, maintenance and enrichment of United Nations Web sites. The Committee on Conferences, at its 421st meeting, held on 31 August, took note of the report.

4. As indicated in the report, of the three proposals on the continuous development, maintenance and enrichment of the United Nations Web site, proposal A would seek to achieve full parity among all United Nations official languages by the end of 2001. The resource requirement for that proposal was estimated at $560 million as a one-time investment during the biennium 2000-2001 and approximately $26 million per biennium, excluding staff costs, for recurring expenditures thereafter. Proposal B would seek to achieve parity of all other United Nations official languages with the English-language site on an incremental basis. The resource requirements for proposal B would be equivalent to those of proposal A, but the estimated one-time investment of $560

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million would be spread over a longer period of time. Proposal C would seek to balance the need for parity and the realistic availability of resources. Efforts would be concentrated on bolstering the existing set-ups. Under this proposal, the United Nations Web site would be developed in all official languages as staff and other resources permit, and parity would be introduced in modules. The number and timing of implementation of various language modules would be dependent on the level of resources that could be made available.

5. Having considered the report of the Secretary-General and the three proposals presented therein, the Committee on Information, in its resolution B, adopted on 14 May 1999,[2] took note of the report of the Secretary-General (A/AC.198/1999/6) and requested him to further develop his proposals pertaining to proposal C in a cost-effective manner and with a focus on textual content, including programme budget implications, for consideration by the Committee on Information and other relevant bodies.

6. In response to that request, the Secretary-General has submitted a report (A/AC.198/1999/9 and Corr.1) on proposal C outlining three options, together with an indication of the level of resource requirements, for consideration by the Committee on Information at its resumed twenty-first session in November.

7. Of the three options under proposal C, the first option would entail the translation and rendering of the contents of the present United Nations Web site into all official languages on an incremental basis with no specific time-frame for achieving full parity. It would also require a feasibility study to determine the time-frame for implementation and the level of resource requirements for a Secretariat-wide plan. The second option would involve translation of selected basic modules, including the audio-visual module, and making them available on the Web site on an ongoing basis. Such modules would be decided upon by the content-providing offices with guidance from Member States. As in the case of the first option, this would also require a feasibility study to determine the time-frame for implementation and the level of resource requirements for a Secretariat-wide plan. The cost of such a feasibility study, if either of these options is chosen, is estimated at $100,000.

8. The third option would seek to establish a sound foundation for current Web site enhancement and maintenance activities. Additional modules would be made available on an ongoing basis as the usage level increases. In order to ensure a broad range of available material, modules would not necessarily be translated in their entirety or into all languages. Efforts would be made to adapt, for Web publishing, the multilingual audio-visual products already available in the conventional format. The resource requirements under this option are estimated at $13.5 million for the biennium 2000-2001 to allow the Department of Public Information to build on the existing structures and to gradually add new material in all official languages to the Web site.

9. The report of the Secretary-General outlining the three options under proposal C (A/AC.198/1999/9 and Corr.1) will be considered by the Committee on Information at its resumed twenty-first session in November. Should the Committee make recommendations that would have programme budget implications, a statement will be prepared prior to its adoption of such recommendations. The decisions and recommendations of the Committee on Information in this regard will be considered by the Special Political and Decolonization (Fourth) Committee of the General Assembly.

Notes

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 6* (A/54/6/Rev.1), vol. III, para. 26.53.

[2] Ibid., *Supplement No. 21* (A/54/21), chap. IV.